

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WAYNE S. GAYLE	:	CIVIL ACTION
	:	
v.	:	
	:	
CONRAD LAMONT, et al.	:	NO. 09-1290

ORDER

AND NOW, this 9th day of January, 2013, upon consideration of the defendants' motion for summary judgment (Docket No. 41), and the plaintiff's brief in opposition to that motion, and following oral argument held on September 14, 2012, IT IS HEREBY ORDERED, for the reasons stated in a memorandum bearing today's date, that the defendants' motion is GRANTED IN PART and DENIED IN PART as follows:

1. The motion is GRANTED as to Count III. Judgment is hereby ENTERED in favor of defendant Paul Ritter and against the plaintiff with respect to that count.

2. The motion is GRANTED as to Count IV. Judgment is hereby ENTERED in favor of defendants Conrad Lamont, Jason Miller, and Paul Ritter and against the plaintiff with respect to that count.

3. The motion is GRANTED as to Count V. Judgment is hereby ENTERED in favor of all defendants and against the plaintiff with respect to that count.

4. The motion is DENIED as to Counts I and II.

5. The Court will hold a telephone conference with counsel on January 22, 2013 at 4:00 p.m. to discuss scheduling the remainder of the case. Plaintiff's counsel shall initiate the call.

BY THE COURT:

/s/ Mary A. McLaughlin  
MARY A. McLAUGHLIN, J.